

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joshua REITER

Serial No. 09/678,850

Filed: October 4, 2000

For: INTERACTIVE PROCESS FOR
APPLYING OR PRINTING
INFORMATION ON LETTERS
OR PARCELS

)
) Atty. Docket: REITE0004
)
)
) Group Art Unit: 3629
)
)
) Examiner: COSIMANO, Edward. R.
)
)
) Date: February 11, 2003
)

RESPONSE (C)

BOX: NO FEE AMENDMENT
Assistant Commissioner of Patents
Washington, D. C. 20231

Sir:

In response to the Office Action dated December 31, 2002, with respect to the above-captioned application, please consider the following remarks.

REMARKS

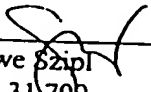
Applicant files herewith timely revised terminal disclaimers in compliance with 37 C.F.R. 1.321(c), one disclaimer each to United States Patent 5,819,241 and 6,178,411 B1. Applicant points out that the fee for the terminal disclaimer was paid previously, although the Examiner deemed the previous terminal disclaimer filed October 7, 2002, as being defective (Office Action dated December 31, 2002, page 3, lines 6-21). By timely filing the terminal disclaimers in the present application, Applicant has mooted the nonstatutory double patenting rejection of claims 1-50, based on a judicially created doctrine of obviousness-type double patenting, over either claims 1-20 of U.S. Patent 5,819,241 or claims 1-35 of U.S.

Patent 6,178,411.

For all of the reasons above, claims 1-50 are in condition for allowance and a prompt notice of allowance is earnestly solicited. Questions are welcomed by the below-signed attorney for applicant. The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 501281.

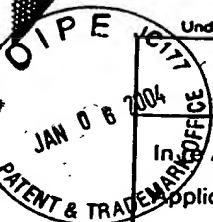
Respectfully submitted,

GRIFFIN & SZIPL, PC


Joerg-Uwe Szimpl
Reg. No. 31,799

GRIFFIN & SZIPL, PC
Suite PH-1
2300 Ninth Street, South
Arlington, VA 22204

Telephone: (703) 979-5700
Facsimile: (703) 979-7429
Customer No.: 24203



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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

REITE0004

Inventor Application of: Joshua REITER

Application No.: 09/678,850

Filed: October 4, 2000

For: INTERACTIVE PROCESS FOR APPLYING OR PRINTING INFORMATION ON LETTERS OR PARCELS

The owner*, Joshua J. Reiter of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,819,241. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record

Signature

02/11/2003

Date

Joerg-Uwe Szpil, Registration No. 31,799

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner)
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)

REITE0004

In re Application of: **Joshua REITER**

Application No.: **09/678,850**

Filed: **October 4, 2000**

For: **INTERACTIVE PROCESS FOR APPLYING OR PRINTING INFORMATION ON LETTERS OR PARCELS**

The owner*, Joshua J. Reiter of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,178,411 B1. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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This card, when stamped with the date stamp of the U.S. Patent and Trademark Office, acknowledges receipt of the following papers relating to application Serial No. 09/678,850 of Joshua J. REITER filed October 4, 2000:

1. Response (C);
2. Terminal Disclaimer for U.S. Patent 5,819,241; and
3. Terminal Disclaimer for U.S. Patent 6,178,411 B1.

Dkt. # REITE0004

Due: 3-31-2003 (JUS/ldh)

Joshua J. REITER

